IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(C).No. 29047 of 2007(G)

OS.112/1984 of PRINCIPAL SUB COURT,ERNAKULAM
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PETITIONER:

Peter Thomas, Avittam Pilly House, Peelikkad, Edappally North Village, Kanayannur Taluk, Ernakulam District.

BY ADV. SRI.K.G.PAVITHRAN

RESPONDENTS:
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1. Mrs. Tresia Xavier, W/o. late M.T. Xavier, Manayath, Household affairs, Thevara desom, Elamkulam Village, Kanayannur Taluk.

2. Mrs. Irene Aloysius alias Jessy, W/o. Joseph Aloysius, Kudungamparambil House, residing in Building Nol.XXVI/2005 of the Cochin Corporation, Manayah House, Thevara.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 1/10/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.29047 of 2007

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Dated this the 1st day of October, 2007.

JUDGMENT

This Writ Petition is filed seeking a direction to the Subordinate Judge's Court, Ernakulam to issue certified copy of the order in I.A.No.5598 of 2003 dated 7.9.2007 and to direct the said court not to proceed with the final decree proceedings till a copy is issued. I.A.No.5598 of 2003 is an application filed by the writ petitioner for setting aside the additional report of the Commissioner dated 15.10.2003. It has been dismissed by the court. The writ petitioner wants to prefer appropriate proceedings before appropriate authorities and for the said purpose, he had applied for certified copy of the order.

2. Therefore, I direct the Subordinate Judge's Court, Ernakulam to issue certified copy of the order in I.A.No.No.5598 of 2003 within a period of two weeks and further direct the said court not to proceed with the final decree application for a period

of three weeks, so as to enable the petitioner to resort to the appellate remedies.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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